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EXAMINER

WANG, ALBERT C

ART UNIT

PAPER NUMBER

2185

DATE MAILED: 07/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/677,261

Applicant(s)

HAMILTON, TONY

Examiner

Albert Wang

Art Unit

2185

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --***Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on ____.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-45 is/are pending in the application.

4a) Of the above claim(s) ____ is/are withdrawn from consideration.

5) Claim(s) ____ is/are allowed.

6) Claim(s) 1-45 is/are rejected.

7) Claim(s) ____ is/are objected to.

8) Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on ____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on ____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. ____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.

4) Interview Summary (PTO-413) Paper No(s) ____.

5) Notice of Informal Patent Application (PTO-152)

6) Other: _____

DETAILED ACTION

1. Original claims 1-45 are pending.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 3-8, 10, 19, 28, and 37 are rejected under 35 U.S.C. 102(e) as being anticipated by Cheung et al., U.S. Patent No. 6,564,329 (“Cheung”).

As per claim 1, Cheung discloses a method including:

detecting a power management event in a system (Col. 7, lines 33-40, detecting “enabled request lines”); and

dynamically adjusting, in response to the power management event (Col. 7, lines 41-52, “dynamically determining”), the performance states of a plurality of system components including system buses (Col. 8, lines 57-67, “select frequency of the bus clock” and other clocks; Col. 6, lines 40-46, “bus clock is passed to the three busses”).

As per claim 3, Cheung discloses a system chipset driving the system buses (Fig. 3, system clock controller 312).

As per claims 4 and 7, Cheung discloses adjusting clock frequencies (Abstract)

As per claim 5, Cheung discloses the components include the memory subsystem, the graphics subsystem and the processor (Col. 8, lines 57-67, various clocks).

As per claim 6, Cheung discloses the performance states are adjusted between a high level and a low level (Col. 6, lines 35-61, high and low end of frequency range).

As per claim 8, while silent with regards to AGP performance levels, Sakai discloses adjusting peripheral device performance levels, which can be applied to a video card.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 2 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cheung as applied to claim 1 above, and further in view of Sakai, U.S. Patent No. 6,266,776.

As per claim 2, Cheung does not teach expressly that the power management event includes a change in the system power source from an AC outlet to a battery or vice versa. Saito teaches detecting change in system power source (Fig. 4, state transitions between S1 and S3; Col. 7, lines 14-61) and adjusting the performance states of a plurality of system components (Col. 1, lines 24-64). Both Cheung and Saito are from the same field of endeavor involving power management. At the time of the invention, it would have been obvious to one of ordinary skill in the art to apply Saito's detecting of power source to Cheung's method. The motivation for doing so would have been to adjust power management according to power source (Saito, Abstract).

As per claim 9, Saito teaches a deep sleep state (Col. 1, lines 24-64).

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As per claims 10-18, since Cheung/Saito teaches the method of claims 1-9, the combination teaches the claimed method.

As per claims 19-27, since Cheung/Saito teaches the method of claims 1-9, the combination teaches the claimed system.

As per claims 28-36, since Cheung/Saito teaches the method of claims 1-9, the combination teaches the claimed apparatus.

As per claims 37-45, since Cheung/Saito teaches the method of claims 1-9, the combination teaches the claimed medium.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Albert Wang whose telephone number is 703-305-5385. The examiner can normally be reached on M-F (9:30 - 6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas C. Lee can be reached on 703-305-9717. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

aw
June 30, 2003



THOMAS LEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100